4 hindered.

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated May 08, 2002. This amendment is accompanied by a request for retroactive extension of time of two months, together with an instruction to debit the appropriate fee to Deposit Account No. 50-0951. At the time of the Office Action, claims 1-8 were pending in the application. Claims 1-8 are cancelled herein, and replaced with new claims 9-23.

The Office Action refers to a requirement for an Election of Species that was brought to applicants attention by telephone. Applicants confirm that claims 1-6, that is, species I is elected for further prosecution in this application.

In the Office Action, the drawings were objected to under 37 C.F.R. §1.83(a) for failing to show every feature of the invention specified in the claims. The Office Action stated that claim 1 required at least four bottles, however it is intended to recite only at least two bottles. An amendment is made herein to claim 1 to clarify this, and a request for authorization to correct drawings is attached, in which a proposal to amend figure 2 to show two bottles is presented. In addition, the computer memory is illustrated in both figures 1 and 2. It is believed that the objection to the drawings have been dealt with by these amendments, and withdrawal of the objection to the drawings is respectfully requested.

The specification was objected to for failing to provide proper antecedent bases for the features of the volume of the reservoir bottle being more than six or ten times, and the computer being provided with a memory. Appropriate amendments are presented herein, which are believed to overcome the objections. Withdrawal of the objections to the specification is thus respectfully requested.

Claims 1, 2 and 6 were objected to in the Office Action for improper quotation marks and lack of antecedent basis for the term "these data". These informalities have been addressed in the enclosed new claims, and withdrawal of the objections to the claims is respectfully requested.

Claim 1 was rejected in the Office Action under 35 U.S.C §112, first paragraph because the specification did not reasonably provide enablement for feeding the label into the computer as recited in lines 13-14. The new claims presented herein are worded to clarify that the information is fed into the computer, not necessarily the label itself. Claims 1 and 6 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. In particular, the specification was stated to describe a printer having only one exchangeable reservoir bottle, and the claims were interpreted as requiring at least four reservoir bottles. Claim 1 clearly stated that "at least two reservoir bottles (24) with various fluids (30) are provided". This has been illustrated in amended figure 2, presented herein, and copied into the written description. A person skilled in the art would have no difficulty in placing two reservoir bottles into an inkjet printer, for example, for the supply of solvent and pigment, the use of which are discussed on pages 1 and 2 of the present application. Claim 1 did not require the use of at least four reservoir bottles. New claims 9 and 21 are presented herein to clarify that at least one exchangeable reservoir bottle is contemplated, with claim 21 directed to an embodiment requiring at least two exchangeable reservoir bottles.

The feature of original claim 6, that the computer is provided with a memory, has been copied into the written description and the figures. It is believed to be clear in the specification why a computer memory is used to store the information (e.g. because the label may destroyed upon insertion to prevent potentially dangerous refilling of the bottle and re-inputting of the data, and so that the information may be used for comparison or calculation purposes).

Claim 1 was also rejected under 35 U.S.C. §112, first paragraph as being non-enabling for failing to include a keyboard or scanning device for entering information. New claims 9 and 21 recite means for feeding the label information into the computer. The specification clearly gives examples of the means for feeding the label information into the computer, such as a keyboard or scanning device.

Withdrawal of the rejections under 35 U.S.C. §112, first paragraph is respectfully requested, for the reasons given above.

Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for a number of informalities listed in the Office Action. It is believed that all of the §112, second paragraph rejections have been fully dealt with by the attached new claims 9-23, and withdrawal of these rejections is thus respectfully requested.

Claims 1-5 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,788,388 to Cowger et al. Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Cowger et al. in view of European Patent Publication No. 0 720 916 to Hawkins.

Cowger et al does not teach an ink jet printer, but an ink jet cartridge with ink level detection. Cowger does not teach an intermediate container which is recharged. The item referred to as an intermediate container is well 76 which is part of the reservoir and is thus not comparable with the separate intermediate container of claims 9 and 21 of the present application. To further specify differences between the intermediate container of claims 9 and 21 from that of Cowger, the feature of the suction pipe and pump arranged between the reservoir bottle and the intermediate container (see page 9, lines 8 and 9 of the present application) has been incorporated into claims 9 and 21. It is believed clear that the intermediate container and the reservoir bottle cannot be portions of the same item, as is the case in Cowger, but are separate. In addition, Cowger does not teach the use of a suction pipe or pump.

In addition, Cowger does not teach the use of a label containing information. Cowger teaches the use of an electronic memory in the ink jet cartridge, which requires the use of electric contacts between the cartridge 12 and the printer (see fig. 3). Thus, Cowger cannot use a relatively inexpensive and simple bottle for the supply of ink, which is particularly advantageous with a printer designed for printing on goods, due to the considerably higher fluid consumption than that of printers designed for printing on paper.

For the foregoing reasons, claims 9 and 21 are believed patentable, and in condition for allowance. The dependent claims are also believed allowable because of their dependence upon an allowable independent claim and because of the further features recited.

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless,

Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

Date: 10/8/02

J. Rodman Steele, Jr.
Registration No. 25,931
Mark D. Passler
Registration No. 40,764
Akerman Senterfitt
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 200-19

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of SLOMIANNY et al

Application No. 09/646,790 Examiner: NGUYEN, J.

Filed: September 21, 2000 Group Art Unit: 2861

For: INKJET PRINTER FOR PRINTING ON GOODS

ATTACHMENT TO AMENDMENT SHOWING MODIFICATIONS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, Washington, DC 20231, via facsimile (fax no. 703-872-9318) on 10/8/02.

Reg No. 40,764
Mark D. Passler

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §1.121, the modifications made to the application are as follows:

IN THE SPECIFICATION:

In the paragraph beginning on page 3, line 8, and ending on page 3, line 18:

[Footing on] For the inkjet printer of the type mentioned above, the solution of this object is to provide the reservoir bottle with an externally visible label carrying coded information about the fluid it contains, e.g., an expiration date, the kind of fluid, the quantity of fluid, its viscosity and so on, to feed the label information into the computer when inserting a new reservoir bottle, to provide the computer with a test program that checks the inputted label [fed] information and that only allows normal operation of the inkjet printer when at least one selected test criterion, e.g., the expiration date, is [alright]

acceptable and to have the output signal of the arrangement designed to detect the quantity of fluid drawn from the reservoir bottle on the computer and to deliver a signal "reservoir bottle empty" when the previously known quantity of fluid has been drawn from the reservoir bottle.

In the paragraph beginning on page 3, line 19, and ending on page 4, line 8:

According to the invention, each reservoir bottle has [got] an individual label. [Its] The label comprises [a] coded information about the fluid it contains, about its expiration date in particular. Each reservoir bottle [has] preferably [got] has its own[,] individual label, which cannot be found with any other reservoir bottle. The label comprises further indications about the fluid, such as [like] the kind of fluid, the quantity of fluid, its viscosity, etc. The information present on the label is fed into the computer when a new reservoir bottle is inserted[.], [it] The information may be entered by hand, for example, by having the label read and fed into a keyboard of the inkjet printer or mechanically by means of a scanner or even a scanning device located in the carriage supporting the reservoir in the inkjet printer.

In the paragraph beginning on page 4, line 9, and ending on page 4, line 18:

The computer has a test program which is supplied with the information from the label [fed]. Said program checks the information of the label by comparing it with admissible label[s] information. The label information may thereby be decoded or not. Normal operation of the inkjet printer is only set free when at least one selected test criterion, e.g., the expiration date, is [alright] acceptable. Additionally, a device designed to detect the quantity of fluid drawn from the reservoir bottle is provided, its output signal being applied to the computer, too. Once the previously known quantity of fluid has been drawn from a reservoir, a signal "reservoir bottle empty" is delivered. Subsequently, normal operation of the inkjet printer is stopped and is only set free again when a new label has been fed.

In the paragraph beginning on page 4, line 19, and ending on page 5, line 6:

According to the invention, the inkjet printer only accepts a new reservoir bottle when the information of the label fed into the computer is appropriate. Thus, refill and reuse of an old, emptied reservoir bottle is made impossible. The inkjet printer only accepts proper reservoir bottles. It is thus made certain that the inkjet printer can only be operated with the fluids and can only process fluids for which it has been devised. This novel feature for example prevents a seal from being damaged, the printing results from worsening because of a wrong fluid, for example a wrong solvent, or even a dangerous operating state from occurring due to the use of an inflammable or explosive liquid for example.

In the paragraph beginning on page 5, line 7, and ending on page 5, line 10:

Preferably, the label has [got] the form of a seal and is fixed on the reservoir bottle at the spot that has to be damaged when inserting it into the inkjet printer, since this is the place where the reservoir bottle has to be opened. Thus, once the reservoir bottle is inserted, the information on the label is lost.

In the paragraph beginning on page 5, line 11, and ending on page 5, line 15:

In a preferred development of the invention the signal "reservoir bottle empty" simultaneously suspends the tapping of fluid from the reservoir. A pump for example is stuck between reservoir bottle and intermediate container. Normal operation of the inkjet printer is only set free again after [a] new coded label information has been [fed] input.

In the paragraph beginning on page 5, line 16, and ending on page 6, line 2:

The reservoir bottle preferably has a volume that is considerably larger than the volume of the intermediate container. Preferably the volume of the bottle is six to ten times larger than the volume of the intermediate container, or may have a larger volume. In a preferred embodiment, the intermediate container has the function of detecting the quantity of fluid that has been drawn off the reservoir bottle. Thanks to the intermediate

container, the reservoir bottle needs not be fitted with own means for detecting the instant quantity of fluid it contains, so that the reservoir bottle may have a very simple design.

In the paragraph beginning on page 7, line 7, and ending on page 7, line 12:

In another preferred embodiment, the information on the label is machine readable, it has for example been given the form of a universal unit code. The advantage thereof is that the label needs not first be read and entered into the inkjet printer via the keyboard, but that the label information is entered mechanically, which is easier. In a particular development the label is read when a new reservoir bottle has been put on the right place in the inkjet printer.

In the paragraph beginning on page 10, line 1, and ending on page 10, line 13:

In the state described, the reservoir bottle 24 is empty, the intermediate container 32 is however still full enough to have the printing process kept up for [still] a certain period of time. Now, the emptied reservoir bottle 24 can be replaced by a new, filled reservoir bottle 24. Said new bottle carries a label 38. Said label [consists] carries information for example [of] numbers and letters. It is entered into the keyboard 40 of the ink-jet printer. The keyboard 40 is connected to the computer 20. An internal clock that generates an internal date is located in the computer. This date is compared with the date on the label 38. Other comparisons are made. The kind of liquid may for example be recorded in the computer. The information on the label contains this data, too. If, with regard to the kind of liquid, the piece of information read on the label matches the data recorded in the computer, the corresponding test criterion turns positive. If all selected test criteria are positive, normal operation of the ink-jet printer is set free.

On page 12, between lines 11 and 12, insert the following new paragraphs:

Figure 2 shows a printer with two exchangeable reservoir bottles 24. The two bottles 24 are filled with different fluids, e.g. one with solvent and the other with pigment.

The computer 20 has a memory, see MEMORY in both figures, in which the information from the label 38 is stored. When an empty bottle is replaced by a new one, the information stored is deleted. The information of the label of the new bottle is fed into the computer, which is necessary to restart the printer.

Respectfully submitted,

Date: 10/8/02

J. Rodman Steele, Jr.
Registration No. 25,931
Mark D. Passler
Registration No. 40,764
Akerman Senterfitt
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

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